

FILED

March 5 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. 09-0567

FILED

MAR 05 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

STATE OF MONTANA,

Plaintiff and Appellee,

v.

DONNY R. SANDAU,

Defendant and Appellant.

ORDER

Transcripts apparently completing the record for this appeal were filed with the Clerk of this Court on December 17, 2009. Nothing further has been filed and the Appellant's opening brief is now overdue.

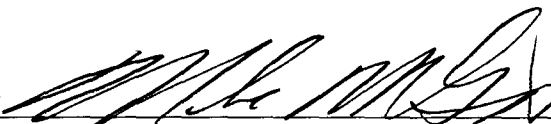
THEREFORE,

IT IS ORDERED that Donny R. Sandau is granted 30 days from the date of this Order in which to prepare, file with the Clerk of this Court, and serve upon opposing counsel his opening brief on appeal. Failure to file the brief within that time will result in dismissal of this appeal with prejudice and without further notice.

The Clerk is directed to provide copies of this order to all counsel of record and to Donny R. Sandau personally.

DATED this 5th day of March, 2010.

For the Court,

By 
Chief Justice